



## AMENDMENT TRANSMITTAL LETTER

After Final Rejection

Application No. 10/706,766	Filing Date November 12, 2003	Examiner J. G. Blanco	Group Art Unit 3738
Applicant(s): James D. Ralph, Stephen Tatar, and Joseph P. Errico		Docket No. SPINE 3.0-446 CIP IV	

Invention: INTERVERTEBRAL SPACER DEVICE HAVING A MULTI-PRONGED DOMED SPRING

### TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
<b>Total Claims</b>	<b>2</b>	<b>- 20 =</b>		<b>x</b>	
<b>Independent Claims</b>	<b>1</b>	<b>- 3 =</b>		<b>x</b>	
<b>Multiple Dependent Claims (check if applicable)</b> <input type="checkbox"/>					
<b>Other fee (please specify):</b>					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					<b>0.00</b>

Large Entity

Small Entity

No additional fee is required for this amendment.

Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.

A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed.

Credit any overpayment.

Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Michael J. Doherty

Dated: October 18, 2005

Michael J. Doherty  
Attorney Reg. No. 40,592

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 18, 2005

Signature: Michael J. Doherty (Michael J. Doherty)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 18, 2005

Signature:

*Michael J. Doherty*  
(Michael J. Doherty)

Docket No.: SPINE 3.0-446 CIP IV CONT  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Ralph et al.

Application No.: 10/706,766

Confirmation No.: 7793

Filed: November 12, 2003

Art Unit: 3738

For: INTERVERTEBRAL SPACER DEVICE  
HAVING A MULTI-PRONGED DOMED  
SPRING

Examiner: J. G. Blanco

**NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Assignee, SpineCore, Inc., hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: October 18, 2005

Respectfully submitted,

By *Michael J. Doherty*  
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